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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 256 OF 2013
CUTTACK, THIS THE 11TH DAY OF JULY, 2013

CORAM :

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)
HON'BLE MR. R.C. MISRA, MEMBER (ADMN.)

.....

Bibekananda Samal,
aged about 21 years,
Son of Late Dhoba Samal,
At/Po : Adapada, Via: Kankorada,
Dist- Ganjam, Odisha- 761144.

...Applicant

By the Advocate(s) - M/s- S.P.Das-A, J.K.Mohapatra, D.D.Sahoo

VERSUS

Union of India represented through

1. Secretary,
Ministry of Mines,
Shastri Bhawan,
New Delhi-110001.
2. Dy. Director General,
Mission-II B (erstwhile Coal Wing),
Natural Energy Resources, Geological Survey of India,
DK-6, Sector-11, Salt Lake City,
Kolkata- 700091.

... Respondents

By the Advocate(s) - Mr. D.K. Behera

O R D E R (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. S.P.Das-A, Ld. Counsel for the applicant, and Mr. D.K.Behera, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. After going through the preliminary reply filed by the Respondents, we find that Respondents have candidly submitted that three

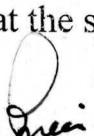




persons have been appointed out of the recommendations. Out of the three, two applicants have been appointed against the vacancy year 2007 and 2008 and the third applicant was appointed against the vacancy year 2010. Position of all the three persons was much higher in the waiting list of eligible candidates and the applicant's name was placed at serial No. 20 in the waiting list. They have also submitted that no vacancy against compassionate appointment has occurred during the vacancy year 2011 due to less number of Direct Recruitment vacancies. They have also made a submission that as per the CAC meeting held on 01.03.2013, position of Bibekananda Samal in waiting list of eligible candidates seeking compassionate appointment is at Sl. No. 12 and whenever there will be vacancy for compassionate appointment, his name along with other eligible candidates will be placed before the CAC (Compassionate Appointment Committee) for consideration. In view of such reply by the Respondents, there is nothing further to adjudicate in this case.

3. Accordingly, this O.A. is disposed of with direction to the Respondents to consider the case of the applicant as and when his turn comes as per his merit position in the waiting list taking into consideration the vacancy year-marked for the compassionate appointment quota.

4. With the aforesaid observation and direction, the O.A. stands disposed of at the stage of admission itself.


MEMBER (Admn.)

RK


MEMBER (Judl.)